

REMARKS:

This is a full and complete response to the Office action dated August 7, 2007.

REGARDING THE SPECIFICATION:

The Examiner suggested that the title be amended to recite some aspect regarding emergency calling. Applicants respectfully submit that in light of the added amendments, such change in title should not be required.

REGARDING THE CLAIMS:

Claims 11-12, 15-19, and 21-46 are pending in the present application. Claim 11 has been amended to incorporate the subject matter of claims 13 and 20, which are now canceled. Claim 22 has been amended for clarification. New claims 29-46 have been added with support found generally throughout the application and claims. No new matter has been added.

IN RESPONSE TO THE OFFICE ACTION:

REJECTION UNDER 35 U.S.C. § 103(a):

Claims 11 and 15-20, 23, 25 and 27-28 stand rejected under 35 USC §103(a) as being unpatentable over Timm et al., US 5,572,204 ("**Timm**"), further in view of **Nojima**, US 5,933,080 and Uhlik et al., US 6,600,914 ("**Uhlik**").

Additionally, claims 24 and 26 were rejected under 35 USC §103(A) as being unpatentable over **Timm**, **Nojima**, **Uhlik**, and further in view of Hattori et al., US 6,285,931 ("**Hattori**").

The Examiner alleges that **Timm** teaches a system for communication between at least one central station and at least one remote mobile or stationary object and a selectable service subscription for transmitting and managing at least an emergency assistance service. The Examiner stated however that **Timm** is silent on an emergency service preempting ongoing phone calls.

It is further stated in the Office Action that **Nojim** teaches an emergency calling system that prioritizes who is to be contacted based on certain roadway conditions and/or accident. Additionally, **Uhlik** is indicated by the Examiner to teach that a call in progress is disconnected in order to provide a communications circuit for an emergency call.

The Examiner concludes that it would have been obvious for one of ordinary skill in the art at the time of the Applicant's invention to modify **Timm** so that ongoing calls are preempted for an emergency call, so as to ensure it always is given priority.

With respect to **Hattori**, the Examiner alleged that the reference discloses transmitting diagnosis information and it would have been obvious to one of ordinary skill in the art to modify the combination of references so that information, malfunction, and diagnostics and maintenance are monitored. The Applicant respectfully traverses these rejections.

CLAIMS 11-12, 15-19, 21-36

In the Office Action of December 13, 2007, the Examiner suggested that a more favorable outcome may occur if claim 11 were amended with claim 13 and either claims 17 or 20. Applicants have amended claim 11 to include the subject matter of claims 13 and 20 as suggested by the Examiner. In view of the Examiner's comments, favorable action is therefore solicited.

Applicants respectfully assert that the amended claims are not prima facie obvious in view of the cited references taken individually or in combination as articulated by the Examiner. In particular, none of the cited references alone or in combination disclose or suggest at least the recitation in the claims "each service utilized has a priority value assigned thereto and wherein means are provided for automatically resolving conflict associated with simultaneous execution of a plurality of said services, and wherein a transition from private subscription to service subscription can be initiated by a key press of the operator and/or automatically by means of at least one sensor (207) for detecting accidents, emergency or malfunctions of the object or by means of a further sensor for detecting an air-bag deployment."

Therefore, no prima facie case of obviousness can be established with respect to claims 11-12, 15-19, and 21-27. Accordingly, Applicants respectfully request the above mentioned rejection be withdrawn and claims proceed to allowance.

CLAIMS 28-46

Applicants respectfully note that claim 28 was newly added in the amendment filed October 31, 2007. Additionally, claims 29-47 are newly added with this present reply. Claims 29-36, depend from claim 28 and claims 38-46 depend from claim 37.

Applicants respectfully note that independent claims 28 and 37 recite, amongst other features, a “sleep mode” a “standby mode” and a “first service execution mode.” Applicants respectfully assert that the cited references alone or in combination do not disclose or suggest claims 28-46.

In the Office Action of December 13, 2007, the Examiner offered no articulated reason as to how the references alone or in combination render claim 28 prima facie obvious. As cited in *KSR*, “there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness.” See *KSR Int’l v. Teleflex Inc.*, 127 S. Ct. 1727, 1740-41, 82 USPQ2d 1385, 1396 (2007). However, in the recent Office Action, no reasoning was provided as to how the cited references disclose the features of claim 28. Therefore, for this reason alone, no prima facie case of obviousness can be established. For similar reasons, no prima facie case of obviousness can be established regarding the newly added claims 29-46.

Additionally, applicants respectfully assert that the cited references do not alone or in combination recite at least the recitations in independent claims 28 and 37 of “sleep mode” a “standby mode” and a “first service execution mode.” As claims 29-36 and claims 38-46 depend from claim 28 and 37 respectively, they are also not disclosed or suggested by the cited references. Therefore, no prima facie case of obviousness can be established. Accordingly, Applicants respectfully request the above mentioned rejections be withdrawn

The undersigned representative requests any extension of time that may be deemed necessary to further the prosecution of this application.

The undersigned representative authorizes the Commissioner to charge any additional fees under 37 C.F.R. 1.16 or 1.17 that may be required, or credit any overpayment, to Deposit Account No. 14-1437, referencing Attorney Docket No.: 7589.033.PCUS00.

In order to facilitate the resolution of any issues or questions presented by this paper, the Examiner may directly contact the undersigned by phone to further the discussion.

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Respectfully submitted,

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